Effort Being Made to Indict Negro Conley

Foreman Beattie of Grand Jury, However, Says He Knows of No Such Move

W.D. Beattie, foreman of the grand jury, declares that "so far as he knows" there is no intention on the part of the grand jury to consider an indictment of Jim Conley, the negro sweeper, who figures so prominently in the Phagan murder mystery.

The Journal has learned, however, on excellent authority, that a determined effort is being made to have the Conley case passed upon by the present grand jury. Whether the effort will or will not be futile is a matter of conjecture.

Foreman Beattie states that no meeting of the jury is expected during the present week, but that the body will probably be called together early next week to consider matters of a routine nature.

Solicitor General Hugh M. Dorsey is said to be making every effort to block the proposed indictment of Conley, who will be used as the principal witness against Leo M. Frank when he faces a jury probably a week from next Monday.

The present grand jury has not been called together since its organization several weeks ago, but it is known that a number of its members think that despite the attitude of the solicitor, a meeting should be called, and the evidence against Conley, including the confessions of complicity, submitted for the jury's consideration.

It is said that the indictment of Conley as a principal would seriously injure the state's case against Frank, and Solicitor Dorsey is naturally opposing every move in that direction.

CERTAIN TO CONSIDER CASE.

The present grand jury was organized early in July, but since the organization meeting its members have never been called together. In the past the majority of grand juries have met weekly.

Further still it is known that the present grand jury will hold no meeting unless the call originates with the members, and if it does it is practically certain that the Conley matter will be considered.

Should the grand jury meet and indict the negro sweeper over the direct and vigorous protest of the solicitor, it will break a long established precedent in the county. While the grand jury has full authority, without even consulting the solicitor, to call a meeting and indict the negro, the solicitor general's wishes in regard to criminal cases have been respected in the past.

However, there is said to be such a sentiment in the grand jury that its members should consider the Conley case that the calling of a special meeting for that purpose is a strong probability.

SUFFICIENT EVIDENCE.

A very significant point, showing the solicitor's attitude is the fact that he has not called a meeting of the jury and is not expected to call one until after the Frank case has been called for trial.

Following the trial of the Frank case, the indictment of Conley either as an accessory or as a principal is certain. After the Frank trial the solicitor himself will present the case against the negro to the grand jury.

There is no question about the fact that there is now sufficient evidence against Conley for the grand jury to indict him. It can be shown that he was in the factory on the day Mary Phagan was killed, and his admissions of complicity to the detectives and his alleged admission of the crime to W.H. Mincey would be sufficient to warrant a bill.